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 13 UNITED PARCEL SERVICE, INC.

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 25 HEROES CLUB, INC.

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1 WHEREAS, the Order Setting Initial Case Management Conference, dated August 27,
2 2007, set the initial Case Management Conference on November 30, 2007;

3 WHEREAS, counsel for Defendant has a scheduling conflict on November 30, 2007, and
4 requests that, subject to Court approval, the Initial Case Management Conference be continued;

5 WHEREAS, the parties have agreed, subject to Court approval, to continue the Initial
6 Case Management Conference to December 14, 2007;

7 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
8 record, to request that the Court order as follows:

- 9 1. The initial Case Management Conference shall take place on December 14, 2007,
10 in Courtroom A, 15th Floor, at 1:30 p.m.;
- 11 2. The last day to complete the meet and confer pursuant to Fed. R. Civ. Proc. 26(f)
12 and ADR L.R. 3.5 shall be November 26, 2007;
- 13 3. The last day to file a Joint ADR Certification with Stipulation to ADR Process or
14 Notice of Need for ADR Phone Conference shall be November 26, 2007;
- 15 4. The last day to file a Rule 26(f) Report, complete initial disclosures, and file the
16 Case Management Statement shall be December 7, 2007.

17 IT IS SO STIPULATED.

18 Dated: November 5, 2007

PAUL T. FRIEDMAN
ANNEMARIE C. O'SHEA
SARA MAHDAVI
MORRISON & FOERSTER LLP

22 By: s/s Paul T. Friedman
23 Paul T. Friedman

24 Attorneys for Defendant
25 UNITED PARCEL SERVICE, INC.

1 Dated: November 5, 2007

2 JAMES C. STURDEVANT
3 MARK T. JOHNSON
4 ALEXUIS MARKWALDER
5 THE STURDEVANT LAW FIRM6 RANDALL P. CHOY
7 HEDANI, CHOY, SPALDING &
8 SALVAGIONE, LLP
9 595 Market Street, Suite 1100
10 San Francisco, California 94105
11 Telephone: 415.778.0800
12 Facsimile: 415.778.070013 By: s/s Mark T. Johnson
14 Mark T. Johnson15 Attorneys for Plaintiff
16 HEROES CLUB, INC.17 I, Paul T. Friedman, am the ECF user whose ID and password are being used to file this
18 Stipulation. In compliance with General Order 45, I hereby attest that Mark T. Johnson, counsel
19 for Plaintiff, has concurred in this filing.

20 Dated: November 5, 2007

21 By: /s/ Paul T. Friedman
22 Paul T. Friedman23 Attorneys for Defendant
24 UNITED PARCEL SERVICE, INC.

1 [PROPOSED] ORDER

2 PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO
3 ORDERED.

4 DATED: _____, 2007

5
6 Honorable Joseph C. Spero
7 United States District Court

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